

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA ex rel.  
GEORGE PONCY,

Plaintiff,

v.

ACADEMY MEDICAL, LLC, a Florida limited liability company; EDWARD D. DESSER, individually, PATRICK J. PAPA, individually; DANIEL M. SHAW, individually, SR KENT, LLC, a Florida limited liability company, and STEVEN R. KENT, individually,

Defendants.

Civil Action No.: 14-cv-17 (TJM/DJS)

**CONSENT JUDGMENT**

Upon consent of the parties, and the Court being fully advised:

Judgment is hereby entered in favor of the United States of America against Defendants Academy Medical, LLC, Edward D. Desser, and Daniel Shaw, jointly and severally, in the amount of \$335,000; and

Judgment is hereby entered in favor of Relator George Poncy against Defendants Academy Medical, LLC, Edward D. Desser, and Daniel Shaw, jointly and severally, in the amount of \$75,000.

Interest shall accrue on any unpaid principal amounts due under this Consent Judgment pursuant to 28 U.S.C. § 1961.

9/6/17

*Thomas J. McAvoy*  
Hon. Thomas J. McAvoy  
Senior United States District Judge

*United States ex rel. George Poncy v. Academy Medical, LLC, et al*  
Case No. 1:14-cv-17 (TJM/DJS)  
Consent Judgment  
Page 2 of 2

Approved:

**THE UNITED STATES OF AMERICA**

**GRANT C. JAQUITH**  
Acting United States Attorney

August 9, 2017

  
**ADAM J. KATZ**  
Assistant United States Attorney

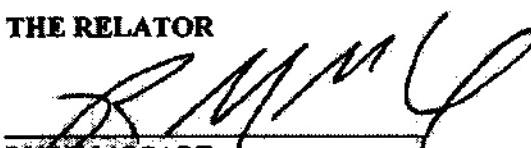
**ACADEMY MEDICAL, LLC, EDWARD DESSER, and**  
**DANIEL SHAW**

August 9, 2017

  
**MARK S. THOMAS**  
Thomas Health Law Group, P.A.

**THE RELATOR**

August 9, 2017

  
**RYAN McCABE**  
McCabe Rabin, P.A.

**Exhibit C to Settlement Agreement (Attorney's Fees Payment Schedule)**

**Payment Schedule**

| 1  | 9/15/17  | 2,164.69 | 92.47  | 0.00 | 72,927.78 | 72,927.78 |
|----|----------|----------|--------|------|-----------|-----------|
| 2  | 10/15/17 | 2,164.69 | 149.85 | 0.00 | 70,912.94 | 70,912.94 |
| 3  | 11/15/17 | 2,164.69 | 150.57 | 0.00 | 68,898.82 | 68,898.82 |
| 4  | 12/15/17 | 2,164.69 | 141.57 | 0.00 | 66,875.70 | 66,875.70 |
| 5  | 1/15/18  | 2,164.69 | 142.00 | 0.00 | 64,853.01 | 64,853.01 |
| 6  | 2/15/18  | 2,164.69 | 137.70 | 0.00 | 62,826.02 | 62,826.02 |
| 7  | 3/15/18  | 2,164.69 | 120.49 | 0.00 | 60,781.82 | 60,781.82 |
| 8  | 4/15/18  | 2,164.69 | 129.06 | 0.00 | 58,746.19 | 58,746.19 |
| 9  | 5/15/18  | 2,164.69 | 120.71 | 0.00 | 56,702.21 | 56,702.21 |
| 10 | 6/15/18  | 2,164.69 | 120.40 | 0.00 | 54,657.92 | 54,657.92 |
| 11 | 7/15/18  | 2,164.69 | 112.31 | 0.00 | 52,605.54 | 52,605.54 |
| 12 | 8/15/18  | 2,164.69 | 111.70 | 0.00 | 50,552.55 | 50,552.55 |
| 13 | 9/15/18  | 2,164.69 | 107.34 | 0.00 | 48,495.20 | 48,495.20 |
| 14 | 10/15/18 | 2,164.69 | 99.65  | 0.00 | 46,430.16 | 46,430.16 |
| 15 | 11/15/18 | 2,164.69 | 98.58  | 0.00 | 44,364.05 | 44,364.05 |
| 16 | 12/15/18 | 2,164.69 | 91.16  | 0.00 | 42,290.52 | 42,290.52 |
| 17 | 1/15/19  | 2,164.69 | 89.79  | 0.00 | 40,215.62 | 40,215.62 |
| 18 | 2/15/19  | 2,164.69 | 85.39  | 0.00 | 38,136.32 | 38,136.32 |
| 19 | 3/15/19  | 2,164.69 | 73.14  | 0.00 | 36,044.77 | 36,044.77 |
| 20 | 4/15/19  | 2,164.69 | 76.53  | 0.00 | 33,956.61 | 33,956.61 |
| 21 | 5/15/19  | 2,164.69 | 69.77  | 0.00 | 31,861.69 | 31,861.69 |
| 22 | 6/15/19  | 2,164.69 | 67.65  | 0.00 | 29,764.65 | 29,764.65 |
| 23 | 7/15/19  | 2,164.69 | 61.16  | 0.00 | 27,661.12 | 27,661.12 |
| 24 | 8/15/19  | 2,164.69 | 58.73  | 0.00 | 25,555.16 | 25,555.16 |
| 25 | 9/15/19  | 2,164.69 | 54.26  | 0.00 | 23,444.73 | 23,444.73 |
| 26 | 10/15/19 | 2,164.69 | 48.17  | 0.00 | 21,328.21 | 21,328.21 |
| 27 | 11/15/19 | 2,164.69 | 45.29  | 0.00 | 19,208.81 | 19,208.81 |
| 28 | 12/15/19 | 2,164.69 | 39.47  | 0.00 | 17,083.59 | 17,083.59 |
| 29 | 1/15/20  | 2,164.69 | 36.27  | 0.00 | 14,955.17 | 14,955.17 |
| 30 | 2/15/20  | 2,164.69 | 31.75  | 0.00 | 12,822.23 | 12,822.23 |
| 31 | 3/15/20  | 2,164.69 | 25.47  | 0.00 | 10,683.01 | 10,683.01 |
| 32 | 4/15/20  | 2,164.69 | 22.68  | 0.00 | 8,541.00  | 8,541.00  |
| 33 | 5/15/20  | 2,164.69 | 17.55  | 0.00 | 6,393.86  | 6,393.86  |
| 34 | 6/15/20  | 2,164.69 | 13.58  | 0.00 | 4,242.75  | 4,242.75  |
| 35 | 7/15/20  | 2,164.69 | 8.72   | 0.00 | 2,086.78  | 2,086.78  |
| 36 | 8/15/20  | 2,091.21 | 4.43   | 0.00 | 0.00      | 0.00      |